





## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

J. Suumaki et al

Group No.: 2681

Serial No: 09/ 716,629

Examiner:

B. Miller

Filed: November 20

For:

November 20, 2000 Transfer of Optimization Algorithm Parameters During

Handover of a Mobile Station, etc.

Commissioner of Patents and Trademarks Washington, D.C. 20231

# TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT BEFORE MAILING DATE OF EITHER A FINAL ACTION OR NOTICE OF ALLOWANCE (37 CFR 1.97(c))

NOTE: "An information disclosure statement shall be considered by the Office if filed . . . before the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, provided the statement is accompanied by either a certification as specified in paragraph (e) of this section or the fee set forth in § 1.17(p)." 37 CFR 1.97(c).

NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: Next Action:

(a) Certification:

"If information submitted during the period set forth in 37 CFR 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, [i]f the new ground of rejection was necessitated by amendment of the application by applicant."

(b) Fee:

"Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(a). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 CFR 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

#### **CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Margery B. Hood

(Type or print name of person mailing paper)

Date: Och. 28,0004

(Signature of person mailing paper)

(Transmittal of Information Disclosure Statement Before Mailing Date of Either A Final Action Or Notice of Allowance [6-4]—page 1 of 3)

# TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but before the mailing date of either:
(1) a final action under § 1:113 or
(2) a notice of allowance under § 1.311,
whichever occurs first.
CERTIFICATION OR FEE
2. Accompany this transmittal is
(check either A or B below)
A. a certification as specified in 37 CFR 1.97(e)
OR .
the fee set forth in 37 CFR 1 17(p) for submission of an information disclosure statement under § 1.97(c). (\$180.00).
FEE PAYMENT
(complete this item if applicable)
3. Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under § 1.97(c) (\$180.00).  Fee due \$
METHOD OF PAYMENT OF FEE
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charge Account No in the amount of \$
A duplicate of this request is attached.  If any additional fees are due, please charge Account
If any additional fees are due, please charge Account

(Transmittal of Information Disclosure Statement Before Mailing Date of Either A Final Action Or Notice of Allowance [6-4]—page 2 of 3)

Reg. No.

45,858

Tel. No.: (203)

261-1234

SIGNATURE OR ATTORNEY

Andrew T. Hyman

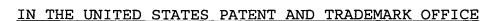
Type or print name of attorney

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e Application of

J. Suumäki et al

Serial No. 09/716,629 : Group Art Unit: 2681

Filed: November 20, 2000 :

For: TRANSFER OF OPTIMIZATION ALGORITHM PARAMETERS

DURING HANDOVER OF A MOBILE STATION, etc.

Assistant Commissioner for Patents U.S. Patent and Trademark Office Washington, DC 20231

### INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith references of which they are aware, which they believe may be material to the examination of this application and which they may have a duty to disclose in accordance with 37 CFR 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any document referred to herein is "prior art" for this invention unless specifically designated as such.

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450.

Margery B. He

Dated:

ch, 28, 2004

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In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement should not be construed to mean that a search has been made or that no other material information as defined under 37 CFR 1.56(a) exists.

Applicants wish to disclose an International Search Report in a copending application. It is noted that the ISR is more than three months old, so Applicants submit a check in the amount of \$180 to cover the cost of late filing. A copy of the ISR and cited references have been provided for the convenience of the Examiner.

Respectfully submitted,

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Attorney for the Applicant Registration No. 45,858

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October 27, 2004
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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE

TRADE

Substitute for form 1449

Sheet 1

STATEMENT BY APPLICANT
(Use as many sheets as necessary)

Complete if Known			
Application Number	09/716,629		
Filing Date	November 20, 2000		
First Named Inventor	J. Suumäki		
Art Unit	2683		
Examiner Name	B. Miller		
Attomey Docket Number	944-001.008-1		

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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		FORE	IGN PATENT DOCL	IMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code <sup>3 -</sup> Number <sup>4 -</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T <sup>6</sup>
	1	WO 0036860	06-22-2000	Nokia Networks		
	2	WO 01/20938 A1	03-22-2001	Nokia Networks		
	3	WO 00/49784	08-24-2000	Nokia Mobile Ph		
	4	EP 0 836 338 A2	04-15-1998	Nokia Mobile Ph		
	5	EP 1 058 471 A2	12-06-2000	NEC Corporation		

Examiner	Date	
Signature	Consider	ed

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.